



PATENT
1619.0100000/JAG/CMB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: BUSSEMAKERS, Marion J. G.; Gerald VERHAEGH and Jack A. SCHALKEN

SERIAL NO. : 09/996,953 EXAMINER : James S. KETTER

FILED: 11/30/01 ART UNIT : 1636

FOR : NUCLEIC ACID MOLECULES COMPRISING THE PROMOTER
FOR PCA3, AND USES THEREOF (as amended)

**DECLARATION PURSUANT TO 37 C.F.R. §1.132 OF
JACK A. SCHALKEN**

Commissioner for Patents
Alexandria VA 22313-1450

Sir:

I, JACK A. SCHALKEN, do hereby declare as follows:

[1] That my Address is:
Madoerastraat 10,
6524 LH Nijmegen
The Netherlands

[2] That I am a co-inventor of the subject application;

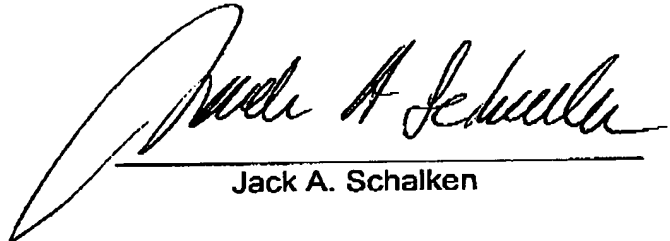
[3] That I am a coauthor of the article: Verhaegh, Gerald W., Adrie van Bokhoven, Frank Smit, Jack A. Schalken and Marion J. G. Bussemakers; "Isolation and Characterization of the Promoter of the Human Prostate Cancer-specific *DD3* Gene"; *The Journal of Biological Chemistry*, 275:37496-37503, 2000.

[4] That coauthors Adrie van Bokhoven and Frank Smit made no inventive contribution to the invention claimed in the above-identified application. Rather, both Adrie van Bokhoven and Frank Smit carried out experiments under my control and supervision as project leader, and therefore were properly not named as inventors of the present invention. Specifically, Adrie van Bokhoven was a technician in my

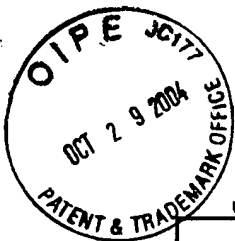
laboratory from Jan 1st 1990 to Jul 31st 1999 and carried out experiments in the field of molecular life sciences under my direction. Similarly, Frank Smit was a technician in my laboratory from Januar 1st 1991 until now and carried out experiments in the field of molecular life sciences under my direction and supervision.; and

[5] I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Sept 6th 2004
Date



Jack A. Schalken



PTO/SB/96 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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STATEMENT UNDER 37 CFR 3.73(b)

1619.0100000/JAG/CMB

Applicant/Patent Owner: Bussemakers et al.Application No./Patent No.: 09/996,953 Filed/Issue Date: November 30, 2001Entitled: Nucleic Acid Molecules Comprising the Promoter for PCA3, and Uses Thereof (as amended)University Medical Centre Nijmegen, a University
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ % in the patent application patent identified above by virtue of either:
- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

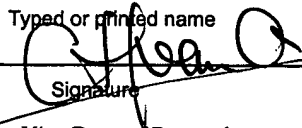
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

29-04-2004
Date
+31(0)24 3618937
Telephone number

Prof. Dr. C.H. van Os
Typed or printed name

Signature
Vice-Dean of Research
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT OF INVENTION

UNIVERSAL

WHEREAS, the invention described in 09/996,953, which claimed the priority of CA 2,357,073, filed on July 9, 2001, or a part of said invention, was assigned on November 2, 2001 (hereinafter referred as the "past assignment") by 1) Marion J. BUSSEMAKERS, 2) Gerald VERHAEGH, and 3) Jack A. SCHALKEN, whose full addresses are 1) St. Geertruidestraat 27, NL-6521 KG Nijmegen, The Netherlands; 2) Hooischeft 15, 6581 SL Maden, The Netherlands; and 3) Madoerastraat 10, 6524 LH Nijmegen, The Netherlands (hereinafter referred to as the "assignor(s)") to UNIVERSITY MEDICAL CENTRE NIJMEGEN, whose full address is Geert Grooteplein 10, P.O. Box 9109, 6500 HB Nijmegen, The Netherlands (hereinafter referred to as the "assignee"); and

WHEREAS the assignor and the assignee are desirous of confirming this past assignment;

WHEREAS the assignor is desirous of assigning and the assignee is desirous of obtaining any part of said invention not previously assigned.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the assignor(s) have and by these presents do hereby sell, assign and transfer unto said assignee, its successors and assigns, the entire right, title and interest in and to said part of said invention not previously assigned as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any applications based thereon filed in any foreign country, including the right to file said foreign applications under the provisions of the Patent Cooperation Treaty and under the Paris Convention; also the entire right, title and interest in and to any and all patents, reissues or extensions thereof to be obtained in this or any foreign country upon said invention or inventions and any divisional, continuation, continuation-in-part, substitute application(s) or supplementary disclosure(s) which may be filed upon said invention or inventions, in any country; and the assignor(s) hereby authorize(s) and request(s) the issuing authority to issue any and all patents on said application or applications to said assignee.

The assignor(s) further agree(s) without any payment by said assignee other than expenses incurred by the undersigned, to communicate to said assignee, its representatives or agents, any facts relating to said invention or inventions, including evidence for interference purposes or for other proceedings, whenever requested; testify in any interference, litigation or other proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon the assignor(s) heirs, legal representatives, administrators and assigns.

DO NOT FORWARD
TO ASSIGNMENT BRANCH
NOT FOR RECORDATION

- 2 -

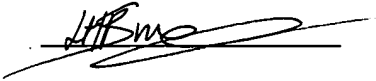
Le(s) soussigné(s) désire(nt) que la présente cession soit en anglais. The undersigned request(s) that the present assignment be in English.

IN WITNESS WHEREOF, the assignor(s) and assignee have hereunto set their hand(s) and seal.

WITNESS(ES)

DATE

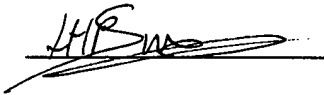
ASSIGNOR(S)



April 29, 2004


Marion J. BUSSEMAKERS

April 29, 2004


Gerald VERHAEGH

April 29, 2004


Jack A. SCHALKEN

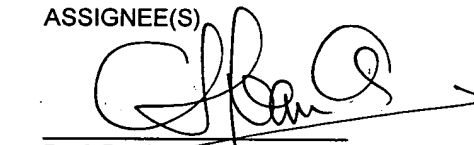
WITNESS(ES)

DATE

ASSIGNEE(S)



April 29, 2004


Prof. Dr. G.H. van Os
Vice-Dean of Research

The Assignment is executed nunc pro tunc as of May 31, 2001